

## UNITED STATES DISTRICT COURT

for the

Northern District of New York

United States of America )

v. )

Rafael Basilio Martinez Galindo )

Case No. )

1:19-MJ-367 (CFH) )

Defendant(s)

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of May 30, 2019 in the county of Saratoga in the  
Northern District of New York, the defendant(s) violated:

Code Section

Offense Description

8 U.S.C. 1326(a)

Reentry of a Previously Removed Alien, in violation of Title 8, United States Code, Section 1326(a).

This criminal complaint is based on these facts:

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief: On or about May 30, 2019 in Saratoga County, in the State and Northern District of New York, the defendant, Rafael Basilio Martinez Galindo, a native and citizen of Mexico, being an alien who has been denied admission, excluded, deported, or removed, or has departed the United States while an order of exclusion, deportation,

☒ Continued on the attached sheet.


Complainant's signature

Deportation Officer Francis Rosania

Printed name and title

Sworn to before me and signed in my presence.

Date: June 6, 2019


Judge's signature

City and state: Albany, New York

Hon. Christian F. Hummel, U.S. Magistrate Judge

Printed name and title

Continuation sheet: *United States v. Rafael Basilio Martinez Galindo*

or removal is outstanding, entered and was thereafter found in the United States without the Attorney General of the United States, or his successor, the Secretary of Homeland Security, having expressly consented to his reapplication for admission into the United States.

In violation of Title 8 United States Code, Section(s) 1326(a).

I further state that I am an ICE Deportation Officer and that this complaint is based on the following facts:

On May 30, 2019, ICE/ERO encountered Jorge Martinez Galindo in Clifton Park, NY while conducting an ICE Fugitive Operation. Martinez Galindo was interviewed by ICE officers to determine identity, alienage and removability. Martinez Galindo stated to ICE Officers that his name is Rafael Basilio Martinez Galindo and he is unlawfully present in the United States. Martinez Galindo was subsequently arrested after he was determined to be present in the United States without admission or parole from an immigration officer. Martinez Galindo was transported to the ICE office in Latham, NY where he had his fingerprints entered into the Department of Homeland Security's IDENT fingerprint database. Through the IDENT fingerprint comparison, it was determined that Martinez Galindo was an alien previously removed from the United States to Mexico under alien number XXX XXX 764, with the most recent removal being on December 27, 2016, at El Paso, TX. A search of relevant immigration records indicates that Martinez Galindo has not sought nor obtained the express permission of the Attorney General, or his successor, the Secretary of Homeland Security, to apply for admission to or return to the United States following the removals.